



DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1217

[Document No. AMS-SC-15-0079]

Softwood Lumber Research, Promotion, Consumer Education and Industry Information Order; Continuance Referendum

AGENCY: Agricultural Marketing Service.

ACTION: Referendum order.

SUMMARY: This document directs that a referendum be conducted among eligible domestic manufacturers and importers of softwood lumber to determine whether they favor continuance of the Softwood Lumber Research, Promotion, Consumer Education and Industry Information Order (Order).

DATES: The referendum will be conducted by mail ballot from August 1 through 25, 2016. To be eligible to vote, softwood lumber manufacturers and importers must have domestically manufactured and shipped or imported 15 million board feet or more of softwood lumber during the representative period of January 1 through December 31, 2015, paid assessments during that period, and must currently be softwood lumber domestic manufacturers or importers subject to assessment under the Order. Ballots must be received by the referendum agents no later than the close of business on August 25, 2016, to be counted.

ADDRESSES: Copies of the Order may be obtained from: Referendum Agent, Promotion and Economics Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue, SW., Room 1406-S, Stop 0244, Washington, DC 20250-0244, telephone: (202) 720-9915; facsimile: (202) 205-2800; or contact Maureen Pello at (503) 632-8848 or via electronic mail: Maureen.Pello@ams.usda.gov.

FOR FURTHER INFORMATION CONTACT: Maureen Pello, Marketing Specialist, PED, SC, AMS, USDA, 1400 Independence Avenue SW., Room 1406-S, Stop 0244, Washington, DC 20250-0244; telephone: (202) 720-9915, (503) 632-8848 (direct line); facsimile: (202) 205-2800; or electronic mail: Maureen.Pello@ams.usda.gov.

SUPPLEMENTARY INFORMATION: Pursuant to the Commodity Promotion, Research and Information Act of 1996 (7 U.S.C. 7411-7425) (Act), it is hereby directed that a referendum be conducted to ascertain whether continuance of the Order (7 CFR part 1217) is favored by eligible domestic manufacturers and importers of softwood lumber. The Order is authorized under the Act.

The representative period for establishing voter eligibility for the referendum shall be the period from January 1 through December 31, 2015. Persons who domestically manufactured and shipped or imported 15 million board feet or more of softwood lumber during the representative period, paid assessments during that period, and are currently softwood lumber manufacturers or importers subject to assessment under

the Order are eligible to vote. Persons who received an exemption from assessments for the entire representative period are ineligible to vote. The referendum will be conducted by mail ballot from August 1 through 25, 2016.

Section 518 of the Act authorizes continuance referenda. Under § 1217.81(b) of the Order, the U.S. Department of Agriculture (USDA) must conduct a referendum 5 years after the program has been in effect to determine whether persons subject to assessment favor continuance of the Order. The program became effective in 2011. USDA would continue the Order if continuance is favored by a majority of the domestic manufacturers and importers voting in the referendum, who also represent a majority of the volume of softwood lumber represented in the referendum.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the referendum ballot has been approved by the Office of Management and Budget (OMB) and assigned OMB No. 0581-0093. It has been estimated that there are approximately 170 domestic manufacturers and 70 importers who will be eligible to vote in the referendum. It will take an average of 15 minutes for each voter to read the voting instructions and complete the referendum ballot.

Referendum Order

Maureen Pello, Marketing Specialist, and Heather Pichelman, Director, PED, SC, AMS, USDA, Stop 0244, Room 1406-S, 1400 Independence Avenue SW., Washington, DC 20250-0244, are designated as the referendum agents to conduct this referendum. The referendum procedures at 7 CFR 1217.100 through 1217.108, which were issued pursuant to the Act, shall be used to conduct the referendum.

The referendum agent will mail the ballots to be cast in the referendum and voting instructions to all known, eligible domestic manufacturers and importers prior to the first day of the voting period. Persons who domestically manufactured and shipped or imported 15 million board feet or more of softwood lumber during the representative period, paid assessments during that period, and are currently softwood lumber domestic manufacturers or importers subject to assessment under the Order are eligible to vote. Persons who received an exemption from assessments during the entire representative period are ineligible to vote. Any eligible domestic manufacturer or importer who does not receive a ballot should contact the referendum agent no later than one week before the end of the voting period. Ballots must be received by the referendum agent by 4:30 pm Eastern time, August 25, 2016, in order to be counted.

List of Subjects in 7 CFR Part 1217

Administrative practice and procedure, Advertising,
Consumer information, Marketing agreements, Promotion, Reporting
and recordkeeping requirements, Softwood lumber.

Authority: 7 U.S.C. 7411-7425; 7 U.S.C. 7401.

Dated: February 18, 2016

Elanor Starmer
Acting Administrator
Agricultural Marketing Service

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